

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rio Brazos

Subfile No. CHRB-007-0013

**MOTION FOR SUBSTITUTION OF PARTIES
AND TO VACATE THE CONSENT ORDER FILED APRIL 10, 2002**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting Fred Anderson for defendants Fred E. Salazar and Linda Salazar in these proceedings, and moves the Court to vacate the Consent Order filed April 10, 2002 (Doc. No. 6611), and as grounds states as follows:

1. Defendants Fred E. Salazar and Linda Salazar approved the State's proposed Consent Order in subfile CHRB-007-0013 and this order was filed with the Court on April 10, 2002. The land and water rights under this subfile were subsequently conveyed to Fred Anderson.

2. Additional field work in the area in connection with other subfiles determined that were errors in the identification of the sources of water for the land under subfile CHRB-007-0013. Fred Anderson, has approved a revised Consent Order in this subfile that will correct these errors.

WHEREFORE the State requests the Court to enter its order substituting the Fred Anderson for defendants Fred E. Salazar and Linda Anderson in these proceedings, and vacating the Consent Order filed April 10, 2002 in subfile CHRB-007-0013.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
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P.O. Box 25102
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(505) 867-7444

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Motion for Substitution was mailed to following this 6th day of July 2006:

Fred Anderson
P.O. Box 191
Los Ojos, NM 87551

and transmitted by ACE filing to the following on the same date:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville